

UNITED STATES DISTRICT COURT
THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: DAVOL, INC./C.R. BARD,
INC., POLYPROPYLENE HERNIA
MESH PRODUCTS LIABILITY
LITIGATION

Case No. 2:18-md-2846

Judge Edmund A. Sargus, Jr.
Magistrate Judge Kimberly A. Jolson

This document relates to:
Graves v. Davol, Inc. et al.
Case No. 2:21-cv-02441

ORDER

This matter is before the Court on Plaintiff's Second Motion to Substitute Party. (ECF No. 17.) Rule 25 provides that, "[i]f a party dies and the claim is not extinguished, the court may order substitution of the proper party." Fed. R. Civ. P. 25(a)(1). "A motion for substitution may be made by any party or by the decedent's successor or representative." *Id.*

At the time of Plaintiff Tonya Graves' death, Kenneth Graves was her next of kin and is now her successor in interest. (ECF No. 17, Exhibit 2.) Plaintiff now moves for the substitution of Kenneth Graves as the proper plaintiff. (ECF No. 17, at 1.) Plaintiff's unopposed Motion to Substitute Kenneth Graves as the proper plaintiff is **GRANTED**. The Clerk is directed to substitute Kenneth Graves as Plaintiff in place of Tonya Graves.

IT IS SO ORDERED.

8/15/2023
DATE

s/Edmund A. Sargus, Jr.
EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE